

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALEX DUNCAN,	)	2:12cv1717
	)	Electronic Mail
Plaintiff,	)	
	)	Judge David Stewart Cercone
v.	)	Chief Magistrate Judge Lenihan
	)	
MICHAEL COLEMAN, DR.	)	
HERBIK, NURSE IDA,	)	
LIEUTENANT ALBRIGHT, PA	)	
MICHELE, and C.H.C.A. S. BURN,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

This case is before the Court on the Report and Recommendation filed by Chief Magistrate Judge Lenihan on April 29, 2013. (ECF No. 11.) Judge Lenihan recommended that this action be dismissed for Plaintiff's failure to prosecute and follow the Court's Order to complete his Authorization form permitting withdrawal of funds from his prisoner account, or to otherwise pay the filing fee. Plaintiff was served with the Report and Recommendation and informed that he had until May 16, 2013, to file written objections. As of the date of this Order, no objections have been filed. As such, after *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered.

AND NOW, this 5<sup>th</sup> day of June, 2013,

**IT IS HEREBY ORDERED** that this case is **DISMISSED** for Plaintiff's failure to prosecute and follow the Court's Order to complete his Authorization form permitting withdrawal of funds from his prisoner account, or to otherwise pay the filing fee.

**IT IS FURTHER ORDERED** that the Report and Recommendation dated April 29, 2013, (ECF No. 11), is **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.



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David Stewart Cercone  
United States District Judge

cc: Alex Duncan  
JK-5167  
FCI Fayette  
P.O. Box 9999  
LaBelle, PA

*(Via First Class Mail)*